

SECRET

24 JAN 1969


MEMORANDUM FOR: Legislative Counsel

SUBJECT : Proposed Legislation, H. R. 354

1. The attached bill which has been referred to the Committee on the Judiciary has been reviewed by this Office with great concern. It is the feeling of this Office that if such a bill were to be passed, our initial investigative effort would be severely handicapped if not completely stifled. Furthermore, the efforts of this Office to conduct internal investigations of staff employees would be "hamstrung."

2. Although this bill is in the very early stages, because of what could be serious consequences with regard to the security program of this Agency, it is requested that this matter be closely followed by your office.

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Howard J. Osborn
Director of Security

Attachment

SECRET



91ST CONGRESS
1ST SESSION

H. R. 354

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1969

MR. TEAGUE of Texas introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To impose certain safeguards on investigations carried out by
Federal agencies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That each officer or employee of any Federal agency who
4 without a warrant or other process issued by a court attempts
5 to obtain information, records, papers, or other matter from
6 any person (other than another such officer or employee) in
7 connection with any investigation for acts or omissions which
8 under any law of the United States are punishable by fine,
9 imprisonment, civil penalty, or forfeiture, shall first inform
10 such person that he has a right (1) to refuse to provide such
11 information, records, papers, or other matter; and (2) to

1 have an attorney representing him present during any sub-
2 sequent discussion with such officer or agent. Any person
3 may knowingly waive such rights.

4 SEC. 2. No information, records, papers, or other matter
5 obtained by an officer or employee of any Federal agency
6 from a person who was not, at the time they were obtained,
7 informed of the rights set forth in the first section of this Act
8 or from a person while such person was being denied either
9 such right, may be received in evidence in any proceeding
10 before any court or grand jury of the United States or before
11 any Federal agency. This section shall only apply to in-
12 formation, records, papers, or other matter obtained by such
13 an officer or employee after the date of its enactment.

14 SEC. 3. Any officer or employee of any Federal agency
15 who violates the first section of this Act or who obtains any
16 information, records, papers, or other matter from any person
17 while such person was being denied either of the rights set
18 forth in such section shall, notwithstanding any other law,
19 be suspended without pay as such an officer or employee for
20 not less than thirty days, or discharged, by the head of such
21 Federal agency.

22 SEC. 4. As used in this Act, the term "Federal agency"
23 means any department, agency, or establishment in the
24 executive branch of the Federal Government.

91ST CONGRESS
1ST SESSION

H. R. 354

A BILL

To impose certain safeguards on investigations
carried out by Federal agencies.

By Mr. TEAGUE of Texas

JANUARY 3, 1969

Referred to the Committee on the Judiciary

OLC 69-0070

☐ UNCLASSIFIED ☐ INTERNAL ☐ CONFIDENTIAL ☒ SECRET

Approved For Release 2002/05/06 : CIA-RDP71B00364R000500020017-3

ROUTING AND RECORD SHEET

SUBJECT: (Optional)				
Proposed Legislation, H. R. 354				
FROM:		EXTENSION	NO.	
Director of Security Rm. 4E-60		6777	DATE	
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Legislative Counsel Rm. 7D-43				STATINTL <div style="border: 1px solid black; height: 20px; width: 150px; margin: 5px;"></div> <i>Yuh</i>
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